

STEPHANIE M. HINDS (CABN 154284)  
Acting United States Attorney

HALLIE HOFFMAN (CABN 210020)  
Chief, Criminal Division

MOLLY K. PRIEDEMAN (CABN 302096)  
Assistant United States Attorney

1301 Clay Street  
Oakland, California 94612  
Telephone: (510) 637-3680  
FAX: (510) 637-3724  
molly.priedeman@usdoj.gov

Attorneys for United States of America

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

UNITED STATES OF AMERICA,	)	NO. 21-MJ-70319-MAG
	)	
Plaintiff,	)	STIPULATION AND ORDER TO CONTINUE
	)	STATUS HEARING AND EXCLUDING TIME
v.	)	UNDER THE SPEEDY TRIAL ACT AND
	)	FEDERAL RULE OF CRIMINAL PROCEDURE
JOSE OCHOA GUTIERREZ,	)	5.1(c) AND (d)
	)	
Defendant.	)	

---

A status conference in this matter is scheduled for July 1, 2021. Counsel for the United States and counsel for the defendant, Jose Ochoa Gutierrez, jointly stipulate and request that the status conference be continued to July 29, 2021 at 1:00 pm before Magistrate Susan van Keulen and time be excluded under Federal Rule of Criminal Procedure 5.1(c) and (d), and the Speedy Trial Act from July 1, 2021 to July 29, 2021.

The government and counsel for the defendant have agreed that time be excluded under Federal Rule of Criminal Procedure 5.1 and the Speedy Trial Act so that defense counsel can continue to prepare, including by reviewing the discovery that has been produced by the government. For these reasons, the parties stipulate and agree that excluding time until July 29, 2021, will allow for the

STIPULATION TO CONTINUE STATUS HEARING AND EXCLUDE TIME AND ORDER  
21-MJ-70319-MAG

1 effective preparation of counsel. *See* 18 U.S.C. § 3161(h)(7)(B)(iv); FRCP 5.1(c) and (d). The parties  
2 further stipulate and agree that the ends of justice served by excluding time from July 1, 2021 to July 29,  
3 2021, from computation under the Speedy Trial Act and Federal Rule of Criminal Procedure 5.1(c) and  
4 (d) outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. §§  
5 3161(h)(7)(A), (B)(iv).

6 The undersigned Assistant United States Attorney certifies that she has obtained approval from  
7 counsel for the defendant to file this stipulation, request, and proposed order.

8  
9 IT IS SO STIPULATED.

10  
11 DATED: June 30, 2021

/s/ Molly K. Priedeman  
MOLLY K. PRIEDEMAN  
Assistant United States Attorney

12  
13  
14 DATED: June 30, 2021

/s/ Miranda Kane  
MIRANDA KANE  
Attorney for the Defendant

1  
2 **ORDER**

3 Based upon the representations of counsel and for good cause shown, the Court finds that  
4 failing to exclude the time from July 1, 2021 to July 29, 2021, would unreasonably deny defense  
5 counsel and the defendant the reasonable time necessary for effective preparation and continuity of  
6 counsel, taking into account the exercise of due diligence. 18 U.S.C. §3161(h)(7)(B)(iv). The Court  
7 further finds that the ends of justice served by excluding the time from July 1, 2021 to July 29, 2021,  
8 from computation under the Speedy Trial Act and Federal Rule of Criminal Procedure 5.1(c) and (d)  
9 outweighs the best interests of the public and the defendant in a speedy trial. Therefore, and with the  
10 consent of the parties, IT IS HEREBY ORDERED that the time from July 1, 2021 to July 29, 2021,  
11 shall be excluded from computation under the Speedy Trial Act and Federal Rule of Criminal  
12 Procedure 5.1(c) and (d) and the status conference shall be continued to July 29, 2021 at 1:00 pm  
13 before Magistrate Judge Susan van Keulen. 18 U.S.C. §§ 3161(h)(7)(A), (B)(iv); FRCP 5.1(c),(d).  
14

15 IT IS SO ORDERED.

16  
17 DATED: June 30, 2021  
18  
19  
20  
21



22 THE HONORABLE DONNA M. RYU  
23 United States Magistrate Judge  
24  
25  
26  
27  
28